

News Release Archive

2011

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News Release

Release No.: 02-11

Contact:
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GIPSA Official Designation Activities

Washington, DC (January 4, 2011)- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) announces the following actions on designations to officially inspect and weigh grain in the specified areas of the State of Georgia; the State of Montana; Columbus, Ohio; Dallas, Texas; Decatur, Indiana; Minot, North Dakota; and Lewiston, Idaho.

GIPSA is asking for applications to provide official services in the areas of the State of Georgia and the State of Montana. Additionally, GIPSA is requesting comments on the official agencies presently serving these areas. Please submit applications and/or comments to GIPSA by February 3, 2011.

GIPSA has designated Columbus Grain Inspection, Inc. (Columbus); Gulf Country Grain Inspection Service, Inc. (Gulf Country); and Northeast Indiana Grain Inspection, Inc. (Northeast Indiana) effective January 1, 2011, through December 31, 2011 (Gulf Country) and December 31, 2013 (Columbus and Northeast Indiana). For official grain inspection services, contact Columbus at 740-474-3519, Gulf Country at 214- 500-5212, and Northeast Indiana at 260-341-7497.

GIPSA is announcing the designation of Minot Grain Inspection, Inc. to provide official Class X weighing services under the United States Grain Standards Act, as amended, effective January 4, 2011.

GIPSA is announcing that Lewiston Grain Inspection Service, Inc. (Lewiston) will cease providing official inspection services and voluntarily terminating their designation effective December 31, 2010. GIPSA is also asking persons or governmental agencies interested in providing official services in the area presently served by Lewiston to submit an application for designation. Please submit applications to GIPSA by February 3, 2011.

For further information contact Erik Mojica at 202-720-0414, fax 202-690-2755 or e-mail at Erik.A.Mojica@usda.gov.

Dana Stewart, 202-720-5091.



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News Release

Release No.: 17-11

Contact:
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GIPSA Official Designation Activities

WASHINGTON, D.C. (March 22, 2011) - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) announces the following actions on designations to officially inspect and weigh grain in the specified areas of the State of Missouri; the State of South; Aberdeen, SD; Bloomington, Ill.; Casa Grande, Ariz.; Decatur, Ill.; Fargo, ND; Fulton, Ill.; Grand Forks, ND; Hastings, Neb.; Iowa Falls, Iowa; Owensboro, KY; and Plainview, Texas.

GIPSA is asking for applications to provide official services in the areas of Aberdeen, SD; Decatur, Ill.; Hastings, Neb.; Fulton, Ill.; the State of Missouri; and the State of South Carolina. Additionally, GIPSA is requesting comments on the official agencies presently serving these areas. Please submit applications and/or comments to GIPSA by April 21, 2011.

GIPSA has designated J. W. Barton Grain Inspection Service, Inc.; Central Illinois Grain Inspection, Inc.; Central Iowa Grain Inspection Service, Inc.; Farwell Commodity and Grain Services, Inc.; North Dakota Grain Inspection Service, Inc.; Northern Plains Grain Inspection Service, Inc.; and Plainview Grain Inspection and Weighing Service, Inc. effective April 1, 2011, through March 31, 2014. For official grain inspection services, contact Barton at 270-683-0616, Central Illinois at 309-827-7121, Central Iowa at 641-648-3467, Farwell Southwest at 520-421-1027, North Dakota at 701-293-7420, Northern Plains at 701-772-2414 and Plainview at 806-893-1364.

For further information, contact Erik Mojica at 202-720-0414, fax 202-690-2755 or e-mail at Erik.A.Mojica@usda.gov.

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News Release

Release No.: 39-11

Contact:
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GIPSA's Grain Inspection Advisory Committee to Meet

WASHINGTON, May 25, 2011- USDA Grain Inspection, Packers and Stockyards Administration's (GIPSA) Grain Inspection Advisory Committee (Committee) will meet June 21-22, 2011, in Kansas City, Mo.

The Committee meeting will take place from 8:00 a.m. - 4:30 p.m., June 21, 2011, and 8:00 a.m. - Noon, June 22, 2011, at USDA, GIPSA, National Grain Center, 10383 N. Ambassador Drive, Kansas City, MO 64153.

Requests to address the Committee at the meeting or through written comments may be sent to: Administrator, GIPSA, U.S. Department of Agriculture, 1400 Independence Avenue, SW., STOP 3601, Washington, DC 20250-3601. Requests and comments may also be faxed to (202) 690-2173.

The purpose of the Advisory Committee is to provide advice to the Administrator of the Grain Inspection, Packers and Stockyards Administration with respect to the implementation of the U.S. Grain Standards Act (7 U.S.C. 71 et seq.). Relevant information about the Advisory Committee is available on the GIPSA website. Under the section "I Want To" select "Learn about the Grain Inspection Advisory Committee."

The agenda will include an overview of Federal Grain Inspection Service 2011 operations, international programs, contract review program findings, exceptions program, sorghum odor, new rice sheller implementation, moisture measurement-rice and soybean study results, wheat gluten tests, rapid test kit evaluation program status, and the quality management program.

For a copy of the agenda, please contact Terri Henry, (202) 205-8281 or by e-mail Terri.L.Henry@usda.gov.

Public participation will be limited to written statements, unless permission is received from the Committee Chair to orally address the Committee. The meeting will be open to the public. Persons with disabilities who require alternative means of communication of program information or related accommodations should contact Terri Henry, telephone (202) 205-8281 or fax (202) 690-2173.



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News Release

Release No.: 46-11

Contact:
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Secretary Vilsack Names Grain Inspection Advisory Committee Members and Alternates

WASHINGTON, June 28, 2011- Agriculture Secretary Tom Vilsack announced today the appointment of 9 members and 11 alternate members to serve on the U.S. Department of Agriculture's Grain Inspection Advisory Committee. The appointees will serve three-year terms.

The new members are: David Cantu, owner/manager, A. Cantue Farms, San Juan, Texas; Rennie Davis, president/CEO, Davis Seed Farms, Inc., Vandalia, Mo.; Rigoberto Delgado, senior partner, Delgado Farms Lcc, El Paso, Texas; Edgar Hicks, director, Nebraska State Grange, Omaha, Neb.; Jayce William Hoyt, managing partner, Go Grain LLC, Bozeman, Mont.; Paul Lautenschlager, manager, Beach Coop Grain Co., Beach, N.D.; Nannette Phegley, operations leader, Cargill/Farm Service Group, Hennepin, Ill.; Omar Garza, special project coordinator, Edinburg, Texas, and Sara Ann Sexton-Bowser, director of membership services, Kansas Grain and Feed Association, Topeka, Kan.

The new alternate members are: James M. Stewart, manager drying and storage, Lundberg Family Farms, Richvale, Calif.; Chris W. Breedlove, manager/CEO, Raymondville, Texas; Patricia Dumoulin, farmer/owner, Hampshire, Ill.; Daryl P. Stevens, general manager, Dakota Quality Grain Cooperative, Parshall, N.D.; Arvid Hawk, president, Global Agricultural Consulting, LCC, Eden Prairie, Minn.; Jerald S. Kemmerer, CEO-GM, Dodge City Cooperative Exchange, Dodge City, Kan.; Frank Mestas, owner/manager, Rancho Rio Grande, Alamosa, Col.; Timothy Dwight Paurus, vice president terminal operations, CHS Inc., Inver Grove Heights, Minn.; Todd Russom, manager/quality raw materials, Anheuser-Busch InBev, St. Louis, Mo.; Kevin M. Coggins, president/ceo, Harvest Applied Technologies, Inc., and Francisco Vigil, founder/board member, Northern New Mexico Stockmans Association, Jarales, N.M.

The Grain Inspection Advisory Committee is comprised of 15 members and 15 alternate members appointed by the Secretary of Agriculture who represent all facets of the grain industry. The Committee meets twice annually to advise USDA on the establishment of programs and services under the U.S. Grain Standards Act.



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News Release

Release No.: 03-11

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JBS USA, LLC, fka Swift & Company and Swift Pork Company Is Assessed a Civil Penalty in the Amount of \$175,000

WASHINGTON, Jan. 6, 2011 - On December 22, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with JBS USA, LLC (JBS), formerly known as Swift & Company and Swift Pork Company, Greeley, Colorado.

JBS has been ordered to cease and desist from:

- failing to disclose when missing Fat-O-Meat'er data has prevented JBS from calculating the lean percent of a particular carcass or carcasses in a seller's lot; and
- substituting an undisclosed lean value for carcasses with missing data when calculating carcass-merit payment for hogs delivered to JBS' Worthington, Marshalltown, and Louisville processing plants.

JBS has also been assessed a civil penalty in the amount of \$175,000 with \$50,000 to be held in abeyance in accordance with the terms of the Understanding Regarding Consent Decision entered between the parties.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 01-11

Contact:
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GIPSA Settles Cases Resulting in \$92,500 in Civil Penalties

WASHINGTON, Jan. 13, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled four cases resulting in \$92,500 in civil penalties.

Dennis Buhlke, CEO, Ryan Meyer, Head Buyer, Creekstone Farms Premium Beef, LLC, Arkansas City, Kansas, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that they failed to disclose terms of purchase agreements.

Premier Pork Marketing, Inc., Bob Rietema, Kurt Van Beek, Sioux Center, Iowa, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$85,000 after GIPSA found that they charged consignors a commission for marketing services and received a second commission from the buyer on the same hogs; their custodial account had shortages on February 1, 2010 (\$974,285), March 1, 2010 (\$629,780), and March 29, 2010 (\$621,781); and the custodial account shortages were caused by transferring custodial funds to other accounts and permitting the deduction of bank charges from the custodial account.

Bobby F. Molen and John D. Molen, Molen Brothers, Nancy, Kentucky, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that they failed to pay when due.

Brian Egbert, E. Livestock and E. Livestock, Inc., Botkins, Ohio, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,500 after GIPSA found that they failed to pay when due.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 04-11

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GIPSA Alleges Superior Livestock Auction, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Jan. 13, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Superior Livestock Auction, Inc. (Superior Livestock), Brush, Colorado:

- used scales to weigh livestock that were not certified and not tested in that the scales had not been tested at least twice during the calendar year at intervals of six months;
- failed to maintain and furnish a requested scale test and inspection report; and
- failed to keep and maintain records which fully and correctly disclosed all the transactions involved in its business as a market agency.

GIPSA filed a complaint against Superior Livestock on December 28, 2010. If the allegations are admitted, or proven in an oral hearing, Superior Livestock may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Superior Livestock was engaged in the business of buying and selling livestock in commerce for its own account and is registered as a market agency selling livestock on commission.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 05-11

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Joe U. Ambrose, Jr. is Suspended as a Registrant for Five Years

WASHINGTON, Jan. 20, 2011- On January 8, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision with Joe U. Ambrose, Jr. (Ambrose), California.

Ambrose has been ordered to cease and desist from failing to make full payment for livestock purchases.

He is suspended as a registrant for a period of five years. If unpaid sellers identified in the complaint have been paid in full the amount of \$349,129.52 or a reasonable schedule of restitution has been arranged with the unpaid livestock sellers, a supplemental order may be issued permitting Ambrose salaried employment by another registrant or packer.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 06-11

Contact:
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Gulf Packing Company, LP and Charles L. Booth Are Assessed a Civil Penalty in the Amount of \$10,000

WASHINGTON, Jan. 20, 2011 - On December 23, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision without hearing by reason of consent with Gulf Packing Company, LP (Gulf Packing), San Benito, Texas and Charles L. Booth (Booth).

Gulf Packing and Booth have been ordered to cease and desist from:

- failing to pay the full purchase price of livestock; and
- failing to pay for livestock purchases in a timely manner.

Gulf Packing and Booth have also been assessed a civil penalty in the amount of \$10,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 07-11

Contact:
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USDA Publishes Changes to their Regulations Regarding Grain Inspection, Packers and Stockyards Administration's Testing of Scales

WASHINGTON, Jan. 21, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has amended section 201.72(a) (9 CFR 201.72(a)) of the regulations under the Packers and Stockyards Act of 1921, as amended (P&S Act), regarding the requirement that stockyard owners, market agencies, dealers, packers, or live poultry dealers that weigh livestock, live poultry, or feed, have their scales tested at least twice each calendar year at intervals of approximately 6 months.

This amends the current regulations to state that the 6-month interval in which scale owners must have their scales tested each calendar year is no longer approximate. Specifically, this requires regulated entities to complete the first of the two scale tests between January 1 and June 30 of the calendar year. Therefore, the scale test for the first half of calendar year 2011 must be completed by June 30, 2011. The remaining scale test is required to be completed between July 1 and December 31 of the calendar year. In addition, a minimum period of 120 days is required between these two tests. More frequent testing would still be required in cases where a scale does not maintain accuracy between tests.

GIPSA has provided an exception for the testing of scales used on a limited seasonal basis. A seasonal scale is one used from either January 1 through June 30, or July 1 through December 31, but not during both periods. GIPSA will require that these scales be tested once during the calendar year, within the 6 months prior to use.

That same section of the regulations has been amended to add 'swine contractors' to the list of regulated entities to which the section applies. GIPSA believes that these changes will facilitate GIPSA's ability to regulate the business operations of stockyard owners, swine contractors, market agencies, dealers, packers or live poultry dealers through the effective enforcement of the P&S Act.

The final rule was published in the January 20, 2011, Federal Register and is posted on GIPSA's web site. The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 09-11

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Jeremy T. Gorham, dba Euclid Stockyards is Assessed a Civil Penalty in the Amount of \$17,000

WASHINGTON, Jan. 28, 2011 - On January 13, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Jeremy T. Gorham (Gorham), doing business as Euclid Stockyards, Ontario, California. Gorham has been ordered to cease and desist from:

- failing to fully reimburse the custodial account in a timely manner; and
- failing to maintain the custodial account in strict conformity with the regulations.

Gorham has also been assessed a civil penalty in the amount of \$17,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 10-11

Contact:
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GIPSA Settles a Case Resulting in a \$1,500 Civil Penalty

WASHINGTON, Jan. 28, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled a case resulting in a \$1,500 civil penalty.

Jeff Donkel, Donkel's Livestock and Poultry, LLC, Bethel, Pennsylvania waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that he failed to pay for poultry as required by the P&S Act; failed to provide adequate scale records; and failed to timely weigh poultry.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 08-11

Contact:
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Allen County Livestock Auction, LLC, John Adams and Dale Peterson Are Assessed a Civil Penalty in the Amount of \$11,000

WASHINGTON, Jan. 28, 2011 - On January 13, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Allen County Livestock Auction, LLC (Allen County Livestock), Gas, Kansas; John Adams (Adams), Iola, Kansas; and Dale Peterson (Peterson), Marion, Kansas.

Allen County Livestock, Adams, and Peterson have been ordered to cease and desist from:

- failing to deposit in the Custodial Account for Shippers' Proceeds, in a timely fashion, amounts equal to the proceeds received or due from the sale of consigned livestock; and
- failing to maintain the custodial account in strict conformity with the regulations.

Adams has been assessed a civil penalty in the amount of \$5,500. Peterson has also been assessed a civil penalty in the amount of \$5,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 11-11

Contact:
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GIPSA Alleges Victor Peak, dba Peak Livestock Co., LLC Violated the Packers and Stockyards Act

WASHINGTON, Feb. 3, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Victor Peak, doing business as Peak Livestock Co., LLC, Emporia, Kansas:

- continued to engaged in the business of a dealer without registering with the Secretary of Agriculture or maintaining an adequate bond as required by the Packers and Stockyards (P&S) Act and the Regulations;
- issued checks for livestock purchases without having sufficient funds to cover the checks;
- failed to pay the full amount for livestock purchased within the time period required by the P&S Act; and
- as of November 17, 2010, \$375,347.29 remains unpaid for livestock purchases.

GIPSA filed a complaint against Victor Peak on January 24, 2011. If the allegations are admitted, or proven in an oral hearing, Victor Peak may be ordered to cease and desist from violating the P&S Act, suspended and assessed a civil penalty.

Victor Peak engaged in the business of a dealer buying and selling livestock in commerce and is not registered with the Secretary of Agriculture.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 12-11

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Settles Cases Resulting in \$2,875 in Civil Penalties

WASHINGTON, Feb. 9, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled two cases resulting in \$2,875 civil penalties.

Michael Taylor, doing business as Taylor Livestock, Roseville, Illinois, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$875 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

Seaboard Foods, LLC, Shawnee Mission, Kansas, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,000 after GIPSA found that it failed to provide an option of arbitration and instead bound the producer to arbitration proceedings in Kansas City, Missouri, which is not the location where the principal part of the performance of the contract was to take place.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 14-11

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Steve (Bubba) Kemp, doing business as Kemp Cattle Violated the Packers and Stockyards Act

WASHINGTON, Feb. 17, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Steve (Bubba) Kemp (Kemp), doing business as Kemp Cattle, Tolar, Texas:

- engaged in business as a dealer and market agency without maintaining an adequate bond;
- issued checks without having sufficient funds to cover checks;
- purchased livestock and did not pay in a timely fashion the full purchase price for livestock; and
- as of the date of this complaint \$98,150.18 remains unpaid to sellers.

GIPSA filed a complaint against Kemp January 28, 2011. If the allegations are admitted, or proven in an oral hearing, Kemp may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Kemp engaged in the business of buying and selling livestock in commerce as a dealer or buying on a commission basis in commerce; is not registered as a dealer or market agency with the Secretary of Agriculture; and operates as a market agency and dealer within the jurisdiction of the Secretary and subject to the provisions of the P&S Act.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 13-11

Contact:
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GIPSA Alleges Mike McEnroe Violated the Packers and Stockyards Act

WASHINGTON, Feb. 17, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Mike McEnroe (McEnroe) failed to pay for livestock purchases in a timely manner.

GIPSA filed a complaint against McEnroe on January 28, 2011. If the allegations are admitted, or proven in an oral hearing, McEnroe may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

McEnroe was engaged in the business of buying and selling livestock in commerce as a dealer for his own account and is registered with the Secretary of Agriculture.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 15-11

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles Cases Resulting in \$4,500 in Civil Penalties

WASHINGTON, Feb. 24, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled two cases resulting in \$4,500 in civil penalties.

Jimmy Kalka and Tiffany Kalka, dba Chandler Livestock Sales, LLC, Chandler, Oklahoma, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that they failed to properly maintain their Custodial Account for Shippers' Proceeds resulting in shortages of \$3,805.85 and \$6,851.30, respectively.

Scot Blake, Elkton, Kentucky, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,000 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 16-11

Contact:
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GIPSA Alleges Vernon Black Violated the Packers and Stockyards Act

WASHINGTON, March 3, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Vernon Black (Black) operated as a market agency without being registered and maintaining a bond.

GIPSA filed a complaint against Black on February 17, 2011. If the allegations are admitted, or proven in an oral hearing, Black may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Black engaged in the business of buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 19-11

Contact:
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GIPSA Settles a Case Resulting in a \$750 Civil Penalty

WASHINGTON, Mar. 10, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled a case resulting in a \$750 civil penalty.

Grove Livestock Auction, Inc., (Grove), Grove, Oklahoma, was advised that it had operated without being registered as required by the P&S Act.

Grove waived its right to a hearing, admits that the Secretary has jurisdiction in this matter, and neither admits nor denies the violations, and consents and agrees for the purpose of settling this matter to pay the sum of \$750.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 18-11

Contact:
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GIPSA Settles Cases Resulting in \$10,600 in Civil Penalties

WASHINGTON, Mar. 10, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled two cases resulting in \$10,600 in civil penalties.

Jack McGuinness, Quarter Circle Cattle Co, Billings, Montana, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$6,600 after GIPSA found that he failed to pay when due and did not maintain adequate records.

Maxwell Farms of Indiana, Inc., and Maxwell Foods, LLC, Goldsboro, North Carolina (Maxwell), waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$4,000 after GIPSA found that Maxwell failed to: 1) disclose growers rights to cancel the contract; 2) include "Additional Capital Investments Disclosure Statement" on contract; 3) and include a provision allowing growers to refuse to be bound by arbitration.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 20-11

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Settles a Case Resulting in a \$5,575 Civil Penalty

WASHINGTON, Mar. 24, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled a case resulting in a \$5,575 civil penalty.

United Pig Placement Services, Sheridan, Indiana, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$5,575 after GIPSA found that it failed to pay when due and failed to comply with contractual requirements.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 22-11

Contact:
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GIPSA Settles a Case Resulting in a \$16,500 Civil Penalty

WASHINGTON, Mar. 24, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled a case resulting in a \$16,500 civil penalty.

Producers Livestock Marketing Association (Producers), Omaha, Nebraska, was advised that it had failed to properly maintain its custodial account.

Producers waived its right to a hearing, admits that the Secretary has jurisdiction in this matter, and neither admits nor denies the violations, and consents and agrees for the purpose of settling this matter to pay the sum of \$16,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 21-11

Contact:
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GIPSA Alleges The New Gainesville Livestock Auction, LLC and James Peyrot, Jr. violated the Packers and Stockyards Act

WASHINGTON, Mar. 24, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that The New Gainesville Livestock Auction, LLC (Gainesville LLC) and James Peyrot, Jr. (Peyrot), Gainesville, Texas:

- failed to maintain their custodial account resulting in shortages;
- failed to reimburse the custodial account by the close of the next business day after the sale for amounts due from the market agency and its owner using the name of Red Bone Livestock, Inc.; and
- failed to timely reimburse the custodial account in full for receivables that exceeded seven days in aging for deposit items returned unpaid and for bank fees.

GIPSA filed a complaint against Gainesville LLC and Peyrot on March 14, 2011. If the allegations are admitted, or proven in an oral hearing, Gainesville LLC and Peyrot may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Peyrot is managing member and 100% owner of The New Gainesville Livestock Auction, LLC and is responsible for the day-to-day management, direction, and control of The New Gainesville Livestock Auction, LLC. Peyrot is the managing partner and 100% owner of Redbone Livestock II, L.P. (Redbone Livestock) and is responsible for the day-to-day management, direction, and control of Redbone Livestock.

Gainesville LLC owned and operated The New Gaines Livestock Auction in Gainesville, Texas, and also owned and operated The New Gainesville Livestock Auction, LLC, doing business as Muenster Livestock Auction. Gainesville LLC is registered with the Secretary as a market agency to sell livestock in commerce on a commission basis.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.:25-11

Contact:
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GIPSA Settles a Case Resulting in a \$6,500 Civil Penalty

WASHINGTON, Mar. 31, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled a case resulting in a \$6,500 civil penalty.

Kyle Hendricks and O.G. Hendricks, doing business as Hendricks Livestock, Buffalo, Missouri, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$6,500 after GIPSA found that they failed to comply with the registration and bonding requirements under the P&S Act.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 24-11

Contact:
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GIPSA Settles a Case Resulting in a \$3,000 Civil Penalty

WASHINGTON, Mar. 31, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled a case resulting in a \$3,000 civil penalty.

Tyler D. Gillum, Plainville Livestock Commission, Inc., Plainville, Kansas, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,000 after GIPSA found that he had custodial account shortages and misused his custodial account.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 23-11

Contact:
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Apna Bazaar International, Inc., dba Ali Meat Industries is Assessed a Civil Penalty in the Amount of \$10,000

WASHINGTON, Mar. 31, 2011- On March 15, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision against Apna Bazaar International, Inc. (Apna), doing business as Ali Meat Industries, Orlando, Florida.

Apna has been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock purchases.

Apna has also been assessed a civil penalty in the amount of \$10,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 27-11

Contact:
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Gailal Sbeta and Mohammad Mesallem, dba Islamic Meat and Poultry Have Been Assessed a Civil Penalty in the Amount of \$4,000

WASHINGTON, Apr. 7, 2011- On March 28, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Gailal Sbeta (Sbeta) and Mohammad Mesallem (Mesallem), doing business as Islamic Meat and Poultry, Stockton, California.

Sbeta and Mesallem have been ordered to cease and desist from failing to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act.

They have also been assessed a civil penalty in the amount of \$4,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 26-11

Contact:
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GIPSA Settles Two Cases Resulting in \$2,000 in Civil Penalties

WASHINGTON, Apr. 7, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled two cases resulting in \$2,000 in civil penalties.

Elden Hale Ginn, Aberdeen, Ohio, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$500 after GIPSA found that he had failed to pay within the time period required by the P&S Act for livestock.

Clinton Wayne Langley, Hugo, Oklahoma, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that he had failed to pay within the time period required by the P&S Act for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 28-11

Contact:
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GIPSA Settles Two Cases Resulting in \$4,575 in Civil Penalties

WASHINGTON, Apr. 14, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled two cases resulting in \$4,575 in civil penalties.

T. Kenneth Emery, Chester Springs, Pennsylvania, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,500 after GIPSA found that he had failed to pay when due.

Toby Meyer, dba M&M Cattle and Cody Murray and Toby Meyer Order Buyer, LLC, dba M&M Cattle and Toby Meyer Order Buyer, LLC, Sulvan Grove, Kansas, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,075 after GIPSA found that they failed to pay when due.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 32-11

Contact:
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WW Boer Goats, Inc., aka Boer Meat Goats, LLC and Frank Willis Violated the Packers and Stockyards Act

WASHINGTON, Apr. 21, 2011- On April 13, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with WW Boer Goats, Inc. (Boer Goats), also known as Boer Meat Goats, LLC (Boer Meat) and Frank Willis (Willis), Adair, Okla.

Boer Goats, Boer Meat, and Willis have been ordered to cease and desist from:

- failing to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act; and
- operating without obtaining the necessary registration and bond required by the P&S Act and regulations.
- They have also been ordered to:
 - keep and maintain adequate and accurate purchase records for all livestock purchases; and
 - to maintain a registration and adequate bond for each entity operating subject to the P&S Act.

They are suspended as registrants for a period of 150 days and thereafter until adequate bond is maintained.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 30-11

Contact:
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GIPSA Settles Two Cases Resulting in \$5,200 in Civil Penalties

WASHINGTON, Apr. 21, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled two cases resulting in \$5,200 in civil penalties.

Double H Slaughtering, doing business as The Beef Shop, Centralia, Wash., waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that they had failed to pay when due for livestock.

Keith Jensen, doing business as Keith Jensen Livestock, Langford, S.D., waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,700 after GIPSA found that he had failed to pay when due for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 31-11

Contact:
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GIPSA Alleges Park Poultry, Inc. doing business as Park Farms Violated the Packers and Stockyards Act

WASHINGTON, Apr. 21, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Park Poultry, Inc. (Park Poultry), doing business as Park Farms, Canton, Ohio:

- failed to make payments when due under a poultry growing arrangement with poultry growers; and
- failed to use serially numbered scale tickets.

GIPSA filed a complaint against Park Poultry April 6, 2011. If the allegations are admitted, or proven in an oral hearing, Park Poultry may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Park Poultry engaged in the business of obtaining live poultry by purchase or under poultry growing arrangements for the purpose of slaughter, shipped processed poultry products in commerce, and operated as a live poultry dealer subject to the provisions of the P&S Act.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 29-11

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Alleges Clay Billingsley Operated as a Market Agency Without Being Registered and Bonded

WASHINGTON, Apr. 21, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Clay Billingsley, Frankston, Texas, operated as a market agency without being registered and bonded.

GIPSA filed a complaint against Clay Billingsley on April 8, 2011. If the allegations are admitted, or proven in an oral hearing, Clay Billingsley may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Clay Billingsley engaged in the business of a market agency purchasing livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 33-11

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Settles a Case Resulting in a \$2,500 Civil Penalty

WASHINGTON, Apr. 28, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settles a case resulting in a \$2,500 civil penalty.

Rex G. Riley Cattle, LLC, Loudonville, Ohio, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that he failed to pay when due for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 35-11

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Settles a Case Resulting in a \$7,400 Civil Penalty

WASHINGTON, May 05, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$7,400 civil penalty.

Forrest Gregg Jernigan, doing business as Gold Tex Cattle Co., Valley Mills, Texas -- waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$7,400 after GIPSA found that he operated without registration and bond; unfair and deceptive trade practices.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 34-11

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Alleges Berry & Sons Rababeh Islamic Slaughter House, Inc. Violated the Packers and Stockyards Act

WASHINGTON, May 05, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Berry & Sons Rababeh Islamic Slaughter House, Inc. (Berry & Sons), Detroit, Michigan:

- failed to pay the full purchase price for livestock purchases in a timely manner; and
- continued to operate as a packer after being notified that its bond would terminate August 7, 2010.

GIPSA filed a complaint against Berry & Sons on March 23, 2011. If the allegations are admitted, or proven in an oral hearing, Berry & Sons may be ordered to cease and desist from violating the Packers and Stockyard (P&S) Act and assessed a civil penalty.

Berry & Sons engaged in the business of buying livestock in commerce for the purposes of slaughter and manufacturing or preparing meats or meat products for sale or shipment in commerce and is a packer subject to the P&S Act.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries..



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News Release

Release No.: 37-11

Contact:
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GIPSA Settles Cases Resulting in \$3,100 in Civil Penalties

WASHINGTON, May 12, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled two cases resulting in \$3,100 in civil penalties.

Larry Herd, Herne, Texas - Herd waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,800 after GIPSA found that he operated without bond (June 22, 2009, thru July 21, 2009) and operated with an inadequate bond (January 18, 2010, thru March 13, 2010).

Kenneth Gonnering Livestock, Inc., Seymour, Wisconsin - waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,300 after GIPSA found that it failed to pay when due for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 36-11

Contact:
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GIPSA Alleges Richard L. Reece Violated the Packers and Stockyards Act

WASHINGTON, May 12, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Richard L. Reece (Reece), Adel, Iowa:

- purchased livestock and failed to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act; and
- owes a total of \$47,900 to two markets.

GIPSA filed a complaint against Reece on April 29, 2011. If the allegations are admitted, or proven in an oral hearing, Reece may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Reece engaged in the business of buying livestock in commerce for his own account as a dealer and as a market agency buying on commission and is registered with the Secretary of Agriculture.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 38-11

Contact:
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GIPSA Settled Two Cases Resulting in \$21,000 in Civil Penalties

WASHINGTON, May 19, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled two cases resulting in \$21,000 in civil penalties.

James Barta & Nebraska Livestock Sales of Blue Hill, LLC, dba Blue Hill Livestock Market/ Nebraska Livestock Sales of Norfolk, LLC, dba Norfolk Livestock Market/Nebraska Livestock Sales of Ericson, LLC, dba Ericson- Spalding Livestock Market, Fremont, Nebraska -- waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$16,000 after GIPSA found that it had custodial account shortages (Blue Hill); custodial account shortages (Norfolk); Insolvency (Norfolk); and custodial account shortages (Ericson).

Gypson and Sonia G. Fernandez Florence Meat Packing Co., Inc., dba White House Packing Company, Fairmount, North Carolina - waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$5,000 after GIPSA found that they failed to pay when due and issued nonsufficient funds checks for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 40-11

Contact:
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GIPSA Alleges Clay Billingsley Violated the Packers and Stockyards Act

WASHINGTON, June 2, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Clay Billingsley (Billingsley), Frankston, Texas, operated as a market agency without registering with the Secretary of Agriculture or maintaining an adequate bond as required by the Packers and Stockyards (P&S) Act and the Regulations.

GIPSA filed a complaint against Billingsley on April 8, 2011. If the allegations are admitted, or proven in an oral hearing, Billingsley may be ordered to cease and desist from violating the P&S Act, suspended and assessed a civil penalty.

Billingsley engaged in the business of a market agency purchasing livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 43-11

Contact:
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GIPSA Settles a Case Resulting in a \$3,000 Civil Penalty

WASHINGTON, June 9, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$3,000 civil penalty.

Mark Colgan, Laura, Illinois -- waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,000 after GIPSA found that he failed to pay when due for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 42-11

Contact:
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GIPSA Alleges Clair Hull, dba Pioneer Specialty Foods, LLC Violated the Packers and Stockyards Act

WASHINGTON, June 9, 2011- On May 18, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Clair Hull (Hull), doing business as Pioneer Specialty Foods, LLC:

- purchased livestock and failed to pay for livestock purchases in a timely fashion;
- did not have sufficient funds to cover checks that were issued for payment for livestock purchases; and
- owes a total of \$143,227.03 to two individuals

GIPSA filed a complaint against Hull on April 26, 2011. If the allegations are admitted, or proven in an oral hearing, Hull may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Hull engaged in the business of buying livestock in commerce for the purpose of slaughter and manufacturing or preparing meats or meat products for sale or shipment in commerce and is a packer.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 41-11

Contact:
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Curtis Walton, dba Walton Livestock is assessed A Civil Penalty in the Amount of \$4,000

WASHINGTON, June 9, 2011- On May 18, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) entered into a consent decision with Curtis Walton, doing business as Walton Livestock, Lamar, Indiana.

Curtis Walton has been ordered to cease and desist from:

- marking up the purchase price of livestock and charging a commission on that same livestock, obtaining both a dealer profit and a commission fee as a market agency buying on commission for the same livestock in the same transactions; and
- operating without obtaining the necessary registration and bond required by the Packers and Stockyards (P&S Act) and regulations.

Curtis Walton has been instruction to keep accounts, records and memoranda that fully and correctly disclose all transactions involved in his business. He has also been assessed a civil penalty in the amount of \$4,000. Curtis Walton is to make restitution to the livestock sellers affected in the total amount of \$576.80.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 44-11

Contact:
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GIPSA Settles a Case Resulting in a \$1,500 Civil Penalty

WASHINGTON, June 16, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$1,500 civil penalty.

Steven Peterson, Owen, Wisc. - waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that he failed to pay when due for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 45-11

Contact:
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GIPSA Alleges Jeff Hayes, dba Rockin 2H Farms Violated the Packers and Stockyards Act

WASHINGTON, June 16, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Jeff Hayes (Hayes), doing business as Rockin 2H Farms:

- purchased livestock and failed to pay for livestock purchases;
- did not have sufficient funds to cover checks that were issued for payment for livestock purchases; and
- is not registered with the Secretary of Agriculture and is not bonded.

GIPSA filed a complaint against Hayes on May 4, 2011. If the allegations are admitted, or proven in an oral hearing, Hayes may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Hayes engaged in the business of buying and selling livestock in commerce as a dealer for his own account and was not registered with the Secretary as a dealer or market agency under the P&S Act.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 47-11

Contact:
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GIPSA Settles Three Cases Resulting in \$9,275 in Civil Penalties

WASHINGTON, June 30, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled three cases resulting in \$9,275 in civil penalties.

Christopher Arnaman, Cameron, Ohio - waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,425 after GIPSA found that he had failed to pay when due for livestock; issued insufficient funds checks; deceptive trade practices; and marked up prices and weights.

Steve Sterchi, Oakland, Ky. - waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,000 after GIPSA found that he had operated without a proper bond and operated without being registered.

Clarence W. Van Handel & Sons, Kaukauna, Wis. - waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,850 after GIPSA found that he failed to pay when due for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 48-11

Contact:
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John Morrell & Co. Are Assessed A Civil Penalty in the Amount of \$162,500

WASHINGTON, July 21, 2011- On July 6, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) entered into a consent decision with John Morrell & Co. (Morrell), Cincinnati, Ohio.

Morrell has been ordered to cease and desist from:

Failing to disclose when missing data has prevented Morrell from calculating the lean percent of a particular carcass or carcasses in a seller's lot; and

Substituting an undisclosed lean value for carcasses with missing data when calculating carcass-merit payments for hogs delivered to Morrell's processing plants.

Morrell has been assessed a civil penalty in the amount of \$162,500 of which \$37,500 will be held in abeyance until Morrell identifies underpaid sellers and makes restitution.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 50-11

Contact:
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Vermilion Ranch Co., dba Northern Livestock Video Auction is Assessed a Civil Penalty in the Amount of \$9,000

WASHINGTON, July 28, 2011- On June 22, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) entered into a consent decision with Vermilion Ranch (Vermilion Ranch) Co., doing business as Northern Livestock Video Auction, Billings, Mont.

Vermilion Ranch has been ordered to cease and desist from using rejected or inactive scales in the weighment of livestock for the purposes of purchase, sale, acquisition, payment or settlement.

Vermilion Ranch has also been assessed a civil penalty in the amount of \$9,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 49-11

Contact:
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GIPSA Settles Five Cases Resulting in \$16,150 in Civil Penalties

WASHINGTON, July 28, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled five cases resulting in \$16,150 in civil penalties.

M2 P2, LLC dba Pork Technologies, L.C., Ames, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$9,000 after GIPSA found that they failed to disclose, in the swine production contract, the grower's right to cancel no later than three business days after the date the swine production contract is executed. They also failed to advise the grower that additional large capital investment may be required during the term of the swine production contract, and that any disputes that come from their contract must be settled in the Federal judicial district where the principle part of the performance takes place under the contract.

Craanen Livestock, LLC, Denmark, Wis. -- waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$625 after GIPSA found that they failed to pay when due for livestock.

Luther E. Spooner, Jr., President, Luke Spooner Cattle Co., Donalsonville, Ga. -- waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,700 after GIPSA found that he failed to pay when due for livestock purchases.

Gary W. Anderson, Hanley Falls, Minn. -- waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,225 after GIPSA found that he increased the price of cattle purchased on an order buying basis.

Farmers Livestock Market, doing business as Springlake Stockyard, Moneta, Va. -- waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,600 after GIPSA found that they had custodial account shortages and misused their custodial account.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 53-11

Contact:
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GIPSA Alleges Stagno's Meat Company, Inc. Violated the Packers and Stockyards Act

WASHINGTON, July 28, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Stagno's (Stagno's) Meat Company, Inc., Modesto, Calif:

Failed to pay, when due, for livestock purchases;

Failed to pay for livestock on actual hot weights; and

Charged a kill charge service fee for each transaction.

GIPSA filed a complaint against Stagno's on July 12, 2011. If the allegations are admitted, or proven in an oral hearing, Stagno's may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Stagno's engaged in the business of a buying livestock in commerce for the purpose of slaughter; engaged in the business of manufacturing or preparing meat and meat food products for sale or shipment in commerce; and is a packer.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 54-11

Contact:
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GIPSA Alleges Randy Myers Violated the Packers and Stockyards Act

WASHINGTON, July 28, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Randy Myers (Myers), after being notified to discontinue all livestock operations for which bonding is required under the Packers and Stockyards (P&S) Act, continues to buy livestock in commerce on a commission basis without registering or maintaining an adequate bond as required by the P&S Act and Regulations.

GIPSA filed a complaint against Myers on June 15, 2011. If the allegations are admitted, or proven in an oral hearing, Myers may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Myers engaged in the business of buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 51-11

Contact:
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Daniel Murray is Assessed a Civil Penalty in the Amount of \$2,500

WASHINGTON, July 28, 2011- On June 11, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) entered into a consent decision with Daniel Murray.

Daniel Murray has been ordered to cease and desist from operating as a dealer buying on commission without a proper bond or bond equivalent.

He has also been assessed a civil penalty in the amount of \$2,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 52-11

Contact:
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Charles Jeffers is Suspended as a Registrant

WASHINGTON, July 28, 2011- On July 11, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) entered into a decision with Charles Jeffers (Jeffers), Somerset, Ohio.

Jeffers has been ordered to cease and desist from failing to pay the full purchase price of livestock.

He has also been suspended as a registrant for a period of five years. The suspension may be modified if Jeffers provides proof that full payment has been made to the unpaid livestock sellers or consignors or if he secures the approval of the unpaid seller to a plan for payment.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 55-11

Contact:
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GIPSA Settles Eight Cases Resulting in \$28,575 in Civil Penalties

WASHINGTON, Aug. 4, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled eight cases resulting in \$28,575 in civil penalties.

Tim Heck, Neilsville, Wis. - waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that he was operating without a bond.

Lynch Livestock, Inc., Waucoma, Iowa - waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that they failed to disclose the right to cancel production contracts and additional capital investments.

Bruce Hild, Neligh, Neb. - waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$5,275 after GIPSA found that he failed to pay when due for livestock purchases.

Galen D. Miller, Crystal Valley Farms, LLC, doing business as Miller Poultry, Orland, Ind. - waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,000 after GIPSA found that he failed to pay for poultry within the time period required by the Packers and Stockyards Act.

Travis Witt and T&M Cattle, Inc., Falls City, Neb. - waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,075 after GIPSA found that he failed to pay for livestock when due and did not maintain adequate records.

Tyson Fresh Meats, Inc., Springdale, Ark. - waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$7,850 after GIPSA found that they had used an inaccurate scale to purchase livestock for slaughter.

Clint Smith and MCCA Livestock, Inc., doing business as Leflore County Livestock Auction, Wister, Okla. - waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,875 after GIPSA found that they had shortages in their custodial account for shippers' proceeds.

Cascade Livestock Auction, Cascade, Iowa - waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that they had custodial account shortages and misused their custodial account.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 58-11

Contact:
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George Gonzalez is assessed A Civil Penalty in the Amount of \$1,230

WASHINGTON, Aug. 11, 2011- On July 26, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) entered into a consent decision with George Gonzalez (Gonzalez), Donna, Texas.

Gonzalez has been ordered to cease and desist from engaging in operations subject to the Packers and Stockyards (P&S) Act without maintaining an adequate bond and proper registration and assessed a civil penalty in the amount of \$1,230.

Gonzalez no longer operates as a market agency subject to the P&S Act. If Gonzalez wishes to resume operations subject to the P&S Act, Gonzalez must register and obtain a proper bond before resuming operations.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 57-11

Contact:
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GIPSA Settles Two Cases Resulting in \$6,190 in Civil Penalties

WASHINGTON, Aug. 11, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settles two cases resulting in \$6,190 in civil penalties.

John R. Malouff, Jr. and Southern Colorado Livestock Auction Fowler, LLC, Fowler, Colo. -- waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$4,690 after GIPSA found that he was operating with shortages in his custodial account for shippers' proceeds in the amounts of \$10,495.04, \$8,584.88, and \$4,624.13.

Lolli Brothers Livestock Market, Inc., Macon, Mo. - waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that they used deceptive trade practices and falsified records.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 56-11

Contact:
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GIPSA Alleges Comanche Livestock Exchange, LLC and Michael Dean Cagel Had Shortages in their Custodial Account for Shippers' Proceeds

WASHINGTON, Aug. 11, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Comanche Livestock Exchange, LLC (Comanche Livestock) and Michael Dean Cagel (Cagel), Comanche, Texas:

- failed to maintain and properly use their custodial account causing shortages in the account;
- failed to deposit into the custodial account, within the time prescribed, an amount equal to the proceeds receivable from the sale of consigned livestock and permitted the withdrawal of bank charges from their custodial account; and
- Comanche Livestock was insolvent with current liabilities exceeding current assets.

GIPSA filed a complaint against Comanche Livestock and Cagel on July 27, 2011. If the allegations are admitted, or proven in an oral hearing, Comanche Livestock and Cagel may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Comanche Livestock engaged in the business of a market agency selling livestock on a commission basis and is registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for its own account and as a market agency selling on commission.

Cagel is the 100% owner of Comanche Livestock and responsible for the day-to-day management, direction and control of Comanche Livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 63-11

Contact:
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GIPSA Alleges American Beef Company, LLC, Violated the Packers and Stockyards Act

WASHINGTON, Aug. 18, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that American Beef Company, LLC (American Beef), Rockville, Mo.:

- operated as a packer without obtaining a proper bond or bond equivalent. American Beef continued to operate after being notified by GIPSA that it must obtain a \$130,000 clause 4 bond or bond equivalent before it continues to purchase livestock; and
- failed to pay the full purchase price for livestock in a timely fashion.

GIPSA filed a complaint against American Beef on July 28, 2011. If the allegations are admitted, or proven in an oral hearing, American Beef may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

American Beef engaged in the business of buying livestock in commerce for the purposes of slaughter and manufacturing or preparing meat or meat products for sale or shipment in commerce and is a packer.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 62-11

Contact:
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GIPSA Settles a Case Resulting in a \$2,400 Civil Penalty

WASHINGTON, Aug. 18, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

- GIPSA settled a case resulting in a \$2,400 civil penalty.

Gerald Mercer, President, Enterprise, Ala. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,400 after GIPSA found that he failed to pay when due for livestock and issued insufficient funds check for livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 61-11

Contact:
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GIPSA Alleges Montana Livestock Auction, Inc., and Kenneth Moe Misused its Custodial Account

WASHINGTON, Aug. 18, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Montana Livestock Auction, Inc. (Montana Livestock), Ramsay, Montana, and Kenneth Moe (Moe), Ramsay, Mont.:

- failed to properly use and maintain its custodial account;
- failed to deposit into the account an amount equal to the proceeds receivable from the sale of consigned livestock in a timely manner;
- failed to remit, when due, the net proceeds due from the sale of livestock on a commission basis;
- misused custodial account funds;
- permitted bank fees to be charged to its custodial account;
- had multiple custodial account shortages; and
- issued checks without having funds to cover the checks.

GIPSA filed a complaint against Montana Livestock and Moe on July 7, 2011. If the allegations are admitted, or proven in an oral hearing, Montana Livestock and Moe may be ordered to cease and desist from violating the Packers and Stockyard (P&S) Act, suspended, and assessed a civil penalty.

Montana Livestock engaged in the business of conducting and operating a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a market agency selling consigned livestock on a commission basis; and is registered with the Secretary of Agriculture.

Moe was the sole owner of Montana Livestock; responsible for the day-to-day direction, management, and control of Montana Livestock, and a market agency subject to the provisions of the P&S Act.

On or about February 20, 2009, Moe sold his ownership interest in Montana Livestock. The new owners operate under the name Montana Livestock Auction and are registered with the Secretary of Agriculture. These allegations are in no way associated with the new owners.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 59-11

Contact:
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Clay Billingsley is assessed A Civil Penalty in the Amount of \$9,800

WASHINGTON, Aug. 18, 2011- On July 28, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Clay Billingsley (Billingsley), Frankston, Texas.

- Billingsley has been ordered to cease and desist from engaging in operations subject to the Packers and Stockyards (P&S) Act without filing and maintaining an adequate bond. He is prohibited from engaging in business in any capacity for which bonding is required without first becoming properly registered under the P&S Act.
- Billingsley has been assessed a civil penalty in the amount of \$9,800.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 65-11

Contact:
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GIPSA Settles a Case Resulting in a \$5,000 Civil Penalty

WASHINGTON, Aug. 29, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$5,000 civil penalty.

Ben Harrison, Amick Farms, LLC, Batesburg, S.C. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$5,000 after GIPSA found that he failed to pay when due for poultry.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 64-11

Contact:
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GIPSA Alleges Upchurch Livestock, Inc., Violated the Packers and Stockyards Act

WASHINGTON, Aug. 29, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Upchurch Livestock, Inc. (Upchurch Livestock), Science Hill, Ky., failed to pay, when due, the full purchase price for livestock.

GIPSA filed a complaint against Upchurch Livestock on August 19, 2011. If the allegations are admitted, or proven in an oral hearing, Upchurch Livestock may be ordered to cease and desist from violating the Packers and Stockyard (P&S) Act, suspended, and assessed a civil penalty.

Upchurch Livestock was engaged in the business as a dealer, buying and selling livestock in commerce for its own account; and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 66-11

Contact:
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GIPSA Settles Cases Resulting in \$11,125 in Civil Penalties

WASHINGTON, Sept. 1, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$11,125 in civil penalties.

4-M Incorporated, Enterprise, Ala. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,500 after GIPSA found that they failed to pay when due for livestock.

Joy Bretz and Hill City Livestock Commission Co., Inc., Hill City, Kan. -- waived her right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,750 after GIPSA found that she had custodial shortages.

Richard Hall, Larry Bussert, BEF Foods, Inc., Columbus, Ohio -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,500 after GIPSA found that they failed to pay when on actual weights for livestock.

Schwartz Farms, Inc., Sleepy Eye, Minn. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,125 after GIPSA found that they failed to comply with contractual requirements.

Myron Haug, Pine City, Minn. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$250 after GIPSA found that he purchased cattle on estimated weights.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 67-11

Contact:
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Montana Livestock Auction, Inc. and Kenneth Moe are Prohibited from Operating and assessed A Civil Penalty in the Amount of \$13,500

WASHINGTON, Sept. 8, 2011 – On August 9, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Montana Livestock, Inc. (Montana Livestock) and Kenneth Moe (Moe), Ramsay, Mont. Montana Livestock and Moe have been ordered to cease and desist from:

- failing to deposit into their Custodial Account for Shippers' Proceeds an amount equal to the proceeds receivable or due from the sale of consigned livestock in a timely manner;
- failing to properly use and maintain its custodial account;
- using funds received as proceeds from the sale of consigned livestock for any purpose other than payment to consignors of the amount due from the sale of their livestock and payment of lawful marketing charges;
- issuing check without having funds to cover the checks; and
- failing to remit, when due, the net proceeds due from the sale of livestock on a commission basis.

Montana Livestock is suspended as a registrant for a period of five years and Moe is prohibited from registering to engage in business subject to the Packers and Stockyards (P&S) act for a period of five years. They have also been assessed a civil penalty in the amount of \$13,500, which will be held in abeyance subject to the terms and conditions as stated above.

On or about February 20, 2009, Moe sold his ownership interest in Montana Livestock. The new owners of the facility operate under the name Montana Livestock Auction and are registered with the Secretary of Agriculture. This decision is in no way associated with the new owners.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 68-11

Contact:
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GIPSA Alleges C. David Emmons Violated the Packers and Stockyards Act

WASHINGTON, Sept. 8, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that C. David Emmons (Emmons), failed to pay, when due, the full purchase price for livestock.

GIPSA filed a complaint against Emmons on August 31, 2011. If the allegations are admitted, or proven in an oral hearing, Emmons may be ordered to cease and desist from violating the Packers and Stockyard (P&S) Act, suspended, and assessed a civil penalty.

Emmons was engaged in business as a dealer, buying and selling livestock in commerce for its own account; and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 69-11

Contact:
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Lake Odessa Livestock Auction, Inc., Ravenna Auction, LLC, and La Verne Lettinga are assessed A Civil Penalty in the Amount of \$35,000

WASHINGTON, Sept. 8, 2011 – On August 11, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Lake Odessa Livestock Auction, Inc. (Lake Odessa) and La Verne Lettinga (Lettinga), Lake Odessa, Michigan, and Ravenna Auction, LLC (Ravenna Auction), Ravenna, Michigan. Lake Odessa, Lettinga, and Ravenna Auction have been ordered to cease and desist from:

- failing to deposit into their Custodial Accounts for Shippers' Proceeds amounts equal to the outstanding proceeds receivable from the sale of consigned livestock in a timely manner;
- failing to maintain their custodial accounts in strict conformity with the regulations;
- using funds received as proceeds from the sale of consigned livestock for any purpose other than payment to consignors of the amount due from the sale of their livestock and payment of lawful marketing charges including:
 - payment of insufficient check charges and other bank fees,
 - transferring custodial account proceeds from custodial accounts into general operating accounts,
 - diverting custodial account funds and proceeds from the sales of livestock to noncustodial accounts or other businesses,
 - withdrawing from custodial account funds marketing charges not yet earned, and
 - repaying loans, except as permitted by the Packers and Stockyards (P&S) Act or regulations.

- issuing custodial account checks without having sufficient funds available in the custodial account and failing to remit, when due, the proceeds due from the sale of livestock;
- misrepresenting to consignors the actual weight and purchase prices of livestock sold on grade and weight basis to packers resulting in a monetary loss to consignors; and
- failing to keep accounts, records, and memoranda that fully and correctly disclosed all transactions involved in their business.

Lettinga is suspended for a period of one year. During this period, Lettinga is prohibited from exercising any management, direction, and control of Lake Odessa and Ravenna Auction.

Lake Odessa and Ravenna Auction, separately, are suspended for 60 days. This suspension will be held in abeyance for one year provided:

1. Lettinga does not exercise any management, direction, and control of Lake Odessa or Ravenna Auction and does not operate, subject to the P&S Act, during the one year period of suspension.
2. Lake Odessa and Ravenna Auction properly maintain their custodial accounts.
3. Lake Odessa and Ravenna Auction do not misrepresent to consignors the actual weight and purchase prices of livestock sold for consignors.
4. Lake Odessa and Ravenna Auction do not issue or cause to be issued, regarding the purchase and sale of livestock, accounts of purchase, invoices, billings, or any other documents showing false, inaccurate, or misleading weight and purchase price entries for livestock.
5. Lake Odessa and Ravenna Auction maintain complete and adequate records, including, but not limited to, copies of all buyers' bills and records tracing all buyers' purchases to corresponding payments.

They have also been assessed a civil penalty in the amount of \$35,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 70-11

Contact:
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Royal Halal Meats, Inc. Is Assessed a Civil Penalty in the Amount of \$10,000

WASHINGTON, Sept. 8, 2011 – On July 5, 2011, the U.S. Department of Agriculture issued a default decision against Royal Halal Meats, Inc. (Royal Halal), Detroit, Michigan, in which Royal Halal was ordered to cease and desist from:

- failing to pay the full purchase price for livestock purchases in a timely fashion; and
- issuing checks for livestock purchases without having sufficient funds to cover the checks.

Royal Halal has also been assessed a civil penalty in the amount of \$10,000.

The default decision resolves charges that were filed on August 6, 2010, in which Royal Halal was alleged to have:

- purchased livestock on a live-weight basis and failed to pay the full purchase price for livestock;
- issued a check for livestock purchases without having sufficient funds to cover the check; and
- as of the date of the complaint, approximately \$58,535.94 remained unpaid for livestock purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 71-11

Contact:
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GIPSA Settles Cases Resulting in \$22,450 in Civil Penalties

WASHINGTON, Sept. 15, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$22,450 in civil penalties.

Forester's 4-F Cattle Company, LTD, Larue, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$5,800 after GIPSA found that they failed to pay for livestock within the time period required by the P&S Act and issued checks without having the funds to cover the checks.

Lampaert Meats, Inc., Duvall, Wash. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,650 after GIPSA found that they failed to use a tare that included only the weight of equipment.

John Morrell & Co., Cincinnati, Ohio -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$15,000 after GIPSA found that they failed to include proper choice of law and venue and failed to disclose and provide an option to decline arbitration.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 72-11

Contact:
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GIPSA Alleges Welch Stockyards, LLC, and Darrel R. Clark Violated the Packers and Stockyards Act

WASHINGTON, Sept. 26, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Welch Stockyards, LLC (Welch Stockyards) and Darrel R. Clark (Clark), Seneca, Mo.:

- misused its custodial account by using the custodial account funds to pay for outstanding loans;
- misused its custodial account by permitting the withdrawal of bank charges from its custodial account;
- issued insufficient funds checks; and
- failed to timely remit the net proceeds due to consignors from the sale of livestock on a commission basis. After payout from Welch Stockyards' bond, \$35,490.74 remains unpaid.

GIPSA filed a complaint against Welch Stockyards and Clark on September 6, 2011. If the allegations are admitted, or proven in an oral hearing, Welch Stockyards and Clark may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Welch Stockyards engaged in the business of a market agency selling livestock in commerce on a commission basis and is registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce and as a market agency to sell livestock in commerce on a commission basis.

Clark is the sole member of Welch Stockyards, owner, and responsible for the direction, management, and control of Welch Stockyards.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 73-11

Contact:
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GIPSA Alleges Philip Ambrose Violated the Packers and Stockyards Act

WASHINGTON, Sept. 26, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Philip Ambrose (Ambrose), continues to purchase livestock without a bond.

GIPSA filed a complaint against Ambrose on September 9, 2011. If the allegations are admitted, or proven in an oral hearing, Ambrose may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Ambrose engaged in the business of a market agency purchasing livestock in commerce on a commission basis. Ambrose's registration with the Secretary of Agriculture as a dealer buying livestock for his own account or the accounts of others is currently in an inactive status.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 74-11

Contact:
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GIPSA Alleges Jallaq Livestock, Inc. and Majdi Jallaq Violated the Packers and Stockyards Act

WASHINGTON, Sept. 26, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Jallaq Livestock, Inc. (Jallaq Livestock) and Majdi Jallaq (Jallaq), Grove City, Ohio:

- issued insufficient funds checks; and
- failed to pay, when due, the full purchase price for livestock (payments were made between approximately 6 and 36 days late).

GIPSA filed a complaint against Jallaq Livestock and Jallaq on September 6, 2011. If the allegations are admitted, or proven in an oral hearing, Jallaq Livestock and Jallaq may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Jallaq Livestock was engaged in the business of buying livestock in commerce for the purpose of slaughter and of manufacturing or preparing meats or meat products for sale or shipment in commerce and is a packer.

Jallaq was the 100% owner, registered agent and responsible for the direction, management, and control of Jallaq Livestock.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 75-11

Contact:
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GIPSA Alleges Josephine E. Bonaccurso, Inc., dba Salem Packing Co., Samuel Bonaccurso, and Josephine E. Bonaccurso Violated the Packers and Stockyards Act

WASHINGTON, Sept. 26, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Josephine E. Bonaccurso, Inc., doing business as Salem Packing Co. (Salem Packing), Samuel Bonaccurso, and Josephine E. Bonaccurso, Salem, N.J.:

- failed to pay, when due, for livestock purchases;
- failed to pay the full purchase price of livestock; and
- had current liabilities in excess of current assets.

GIPSA filed a complaint against Salem Packing, Samuel Bonaccurso, and Josephine E. Bonaccurso on September 14, 2011. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Salem Packing is a packer operating in commerce.

Samuel Bonaccurso is president; a 49% shareholder; and is responsible for the purchase of all livestock and the payment of all debts; and is operating Salem Packing with Josephine E. Bonaccurso.

Josephine E. Bonaccurso is a 51% shareholder; and is with Samuel Bonaccurso, operating Salem Packing.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 76-11

Contact:
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Duane Schmidt is Assessed a Civil Penalty in the Amount of \$2,500

WASHINGTON, Sept. 26, 2011- April 22, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) entered into a consent decision with Duane Schmidt (Schmidt), Bancroft, S.D.

Schmidt has been ordered to cease and desist from failing to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act.

He has also been assessed a civil penalty in the amount of \$2,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 77-11

Contact:
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Lonnie & Karen Martin Are Assessed a Civil Penalty in the Amount of \$15,000

WASHINGTON, Sept. 26, 2011- July 5, 2011, the U.S. Department of Agriculture issued a default decision against Lonnie & Karen Martin (the Martins), of East Earl, Pa. The Martins were ordered to cease and desist from:

- failing to pay the full purchase price of livestock; and
- buying livestock in commerce for purposes of slaughter without maintaining an adequate bond or bond equivalent as required by the Packers and Stockyards (P&S) Act and Regulations.

The Martins have also been assessed a civil penalty in the amount of \$15,000.

The default decision resolves charges that were filed on April 15, 2010, in which the Martins were alleged to have:

- failed to pay for livestock purchases within the time period required by the P&S Act;
- bought livestock in commerce without maintaining an adequate bond;
- issued checks in payment for livestock purchases without maintaining sufficient funds to cover payment; and
- as of the date of the filing of the complaint, owing payment to four livestock sellers in the amount of \$236,946.02.

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News Release

Release No.: 78-11

Contact:
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GIPSA Alleges Haskell Livestock Auction Company, Inc., Bryan D. Rainey, aka B.D. Rainey, and Kathrene Francine Rainey, aka Francine Rainey Failed to Properly Maintain Its Custodial Account for Shippers' Proceeds

WASHINGTON, Oct. 3, 2011 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Haskell Livestock Auction Company, Inc. (Haskell); Bryan D. Rainey, also known as B.D. Rainey (B.D. Rainey); and Kathrene Francine Rainey, also known as Francine Rainey (F. Rainey):

- failed to properly maintain its custodial account;
- permitted bank charges to be charged to the custodial account and misused the custodial account by remitting proceeds for purported livestock transactions that did not occur;
- B.D. Rainey used custodial account funds to pay for his individual dealer purchases;
- issued checks to consignors/shippers without having sufficient funds to cover checks;
- failed to timely remit, as required by the Packers and Stockyards (P&S) Act and Regulations, the net proceeds due to consignors from the sale of livestock on a commission basis. After payout from Haskell's bond, \$1,064.25 remains unpaid;
- failed to keep and maintain records which fully and correctly disclosed all the transactions involved in its business as a market agency; and
- falsified records by generating invoices and generating and issuing checks in payment for purported livestock purchases that did not occur.

GIPSA filed a complaint against Haskell, B.D. Rainey and F. Rainey on September 14, 2011. If the allegations are admitted, or proven in an oral hearing, Haskell, B.D. Rainey, and F. Rainey may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Haskell was engaged in the business of a market agency selling livestock in commerce on a commission basis and is registered with the Secretary of Agriculture.

B.D. Rainey was engaged in the business of buying and selling livestock in commerce as a dealer for his own account or for the account of others; is not registered with the Secretary of Agriculture; operates as a dealer; and is president, treasurer, general manager and director of Haskell; a 51% owner of Haskell and is responsible for the direction, management, and control of Haskell.

F. Rainey was vice-president, secretary, a 49% owner, and responsible for the direction, management, and control of Haskell.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 79-11

Contact:
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GIPSA Alleges Michael Okragly, Cherry Okragly, and Okragly Cattle Company, Inc., Violated the Packers and Stockyards Act

WASHINGTON, Oct. 3, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Michael Okragly (M. Okragly), Cherry Okragly (C. Okragly), and Okragly Cattle Company, Inc. (Okragly Cattle), Billings, Mont.:

- fraudulently added weight to purchase weight and failed to pass on the purchase weights to customers; and
- falsified records by deliberately listing a sale weight on invoices to customers different from that at which they purchased the cattle.

GIPSA filed a complaint against M. Okragly, C. Okragly, and Okragly Cattle on September 14, 2011. If the allegations are admitted, or proven in an oral hearing, M. Okragly, C. Okragly, and Okragly Cattle may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Okragly Cattle engaged in the business of buying and selling livestock in commerce as a dealer and is registered with the Secretary of Agriculture as a dealer and a market agency to buy livestock in commerce on a commission basis.

M. Okragly is the president of Okragly Cattle, 51% shareholder; was responsible for the day-to-day management and operations of Okragly Cattle; and with C. Okragly managed, directed, and controlled the operations of Okragly Cattle.

C. Okragly is secretary of Okragly Cattle, 49% shareholder, and with M. Okragly managed, directed, and controlled the operations of Okragly Cattle.

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News Release

Release No.: 80-11

Contact:
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GIPSA Alleges Jantzi & Jantzi, Ltd. Violated the Packers and Stockyards Act

WASHINGTON, Oct. 3, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jantzi & Jantzi, Ltd., Sugarcreek, Ohio, purchased livestock in commerce and failed to pay, when due, the full purchase price for livestock.

GIPSA filed a complaint against Jantzi & Jantzi, Ltd. on September 14, 2011. If the allegations are admitted, or proven in an oral hearing, Jantzi & Jantzi, Ltd. may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Jantzi & Jantzi, Ltd. engaged in the business as a dealer, buying and selling livestock in commerce for his own account.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 81-11

Contact:
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GIPSA Alleges Robert Morales Cattle Company, dba K-M Cattle and Robert Morales Violated the Packers and Stockyards Act

WASHINGTON, Oct. 3, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Robert Morales (R. Morales):

- purchased livestock and failed to pay for livestock, within the time period required by the Packers and Stockyards (P&S) Act:
- failed to maintain means to trace his dealer transactions from purchase to sale by failing to maintain all purchase and sales invoices, load make-up sheets, and trucking records;
- failed to zero balance his scale, print scale tickets when the scale was zero balanced, identify the name of the buyer on his scale tickets, use serially numbered scale tickets and keep copies of executed or voided scale tickets.

GIPSA has also found evidence that Robert Morales Cattle Company (Morales Cattle), doing business as K-M Cattle under the direction, management, and control of R. Morales:

- purchased livestock and failed to pay, when due, the full purchase price for livestock (payments were made approximately 1 – 160 days late);
- failed to keep and maintain records which fully and correctly disclosed all the transactions involved in its business as a dealer and market agency; and
- issued scale tickets that were not serially numbered, did not identify the buyer of the livestock, did not identify the name, initials, or number of the person who weighed the livestock, and contained no record of zero balancing.

GIPSA filed a complaint against Morales Cattle and R. Morales on September 15, 2011. If the allegations are admitted, or proven in an oral hearing, Morales Cattle and R. Morales may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Morales Cattle was engaged in the business of buying and selling livestock in commerce as a dealer for its own account or for the account of others; engaged in the business of a market agency buying livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

R. Morales was president; director; 100% owner; registered agent; and is responsible for the direction, management, and control of Morales Cattle.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 82-11

Contact:
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GIPSA Alleges Ashville Stockyard, Inc., and Bradley and Tilda Plunkett Violated the Packers and Stockyards Act

WASHINGTON, Oct. 3, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ashville Stockyard, Inc. (Ashville), of Ashville, Alabama, and Bradley and Tilda Plunkett:

- operated with a Custodial Account for Shippers’ Proceeds shortage;
- failed to timely reimburse the custodial account;
- withdrew bank charges from the custodial account;
- issued checks without having sufficient funds to cover checks; and
- failed to remit, when due the net proceeds due from the sale of livestock on a commission basis.

GIPSA filed a complaint against Ashville and Bradley and Tilda Plunkett on September 15, 2011. If the allegations are admitted, or if proven in an oral hearing, Ashville and Bradley and Tilda Plunkett may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, or may be suspended and assessed a civil penalty.

Ashville was engaged in the business of a dealer buying and selling livestock for its own account or account of others and as a market agency buying and selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

Bradley Plunkett is President and a 100% shareholder of Ashville, and has together with Tilda Plunkett managed, directed, and controlled Ashville. Bradley Plunkett is not separately registered with the Secretary of Agriculture as a dealer who buys and sells livestock in commerce or as a market agency to buy on commission.

Tilda Plunkett is secretary and treasurer of Ashville, and has together with Bradley Plunkett managed, directed, and controlled Ashville. Tilda Plunkett is not separately registered with the Secretary of Agriculture as a dealer who buys and sells livestock in commerce or as a market agency buying on commission.

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News Release

Release No.: 83-11

Contact:
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GIPSA Alleges David Ballou Violated the Packers and Stockyards Act

WASHINGTON, Oct. 3, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that David Ballou (Ballou), Fletcher, Oklahoma:

- operated as a market agency without being registered and providing a bond; and
- bought livestock in commerce on a commission basis without a bond.

GIPSA filed a complaint against Ballou on September 15, 2011. If the allegations are admitted, or proven in an oral hearing, Ballou may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Ballou engaged in the business of buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

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News Release

Release No.: 84-11

Contact:
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Gregory A. Mellott Has Been Assessed a Civil Penalty in the Amount of \$5,000

WASHINGTON, Oct. 3, 2011 – On September 14, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Gregory A. Mellott (Mellott), St. Thomas, Pa.

Mellott has been ordered to cease and desist from failing to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act.

Mellott is suspended as a registrant for 60 days and assessed a civil penalty in the amount of \$5,000.

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News Release

Release No.: 85-11

Contact:
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B&B Livestock Company, Inc. is Assessed a Civil Penalty in the Amount of \$10,000

WASHINGTON, Oct. 3, 2011 – On September 2, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with B&B Livestock Company, Inc., (B&B Livestock), Danville, Ohio.

B&B Livestock has been ordered to cease and desist from failing to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act.

They have also been assessed a civil penalty in the amount of \$10,000.

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News Release

Release No.: 86-11

Contact:
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GIPSA Settles Cases Resulting in \$8,500 in Civil Penalties

WASHINGTON, Oct. 3, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$8,500 in civil penalties.

Charles D. Minnix, Boones Mill, Va. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

TDM Farms, Inc., Camden, Ind. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that they failed to disclose producer right to cancel the contract; and failed to disclose that additional large capital investments may be required.

Synergy, LLC, Sully, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that they failed to comply with contractual requirements.

Premier Poultry, Inc., Brooklyn, N.Y. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that they failed to pay for poultry when due.

Wayne F. Craig, Wayne F. Craig & Sons, Inc., Shippensburg, Pa. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that they failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 87-11

Contact:
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GIPSA Settles Cases Resulting in \$5,800 in Civil Penalties

WASHINGTON, Oct. 13, 2011 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$5,800 in civil penalties.

Schultz Farm Enterprises, Inc., New Hampton, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that they failed to comply with contractual requirements.

Michael Altice, Wirtz, Va. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,800 after GIPSA found that he failed to pay when due for livestock purchases.

Sieren Pork, Ltd., Keota, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that they failed to disclose right to cancel a production contract and failed to disclose additional capital investments statement.

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News Release

Release No.: 88-11

Contact:
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GIPSA Alleges Stephen Conley and Larry Conley, dba Conley & Conley Trading Violated the Packers and Stockyards Act

WASHINGTON, Oct. 13, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Stephen Conley and Larry Conley, doing business as Conley & Conley Trading, Cooper, Texas:

- purchased livestock and failed to pay, within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price for livestock;
- failed to pay for livestock;
- issued checks without having sufficient funds to cover checks;
- failed to keep records that fully and completely disclosed all transaction involved in their business; and
- Stephen Conley continued to operate as a dealer without maintaining a bond.

GIPSA filed a complaint against Stephen and Larry Conley on September 28, 2011. If the allegations are admitted, or proven in an oral hearing, Stephen and Larry Conley may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Stephen Conley is engaged in the business as a dealer, buying and selling livestock in commerce for his own account; with Larry Conley, is responsible for the day-to-day direction, management, and control of Conley & Conley Trading; and is registered with the Secretary of Agriculture.

Larry Conley is engaged in the business as a dealer, buying and selling livestock in commerce for his own account; with Stephen Conley, is responsible for the day-to-day direction, management, and control of Conley & Conley Trading. He was registered with the Secretary of Agriculture, but is no longer registered as his registration expired on June 1, 2011, due to his failure to file an annual report.

Conley & Conley Trading is a partnership made up of Larry and Stephen Conley. The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 89-11

Contact:
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GIPSA Alleges Kao Vang and Chue Thao, dba California Fresh Meats Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Kao Vang and Chue Thao (respondents), doing business as California Fresh Meats, Sanger, Calif.:

- issued checks in payment for livestock purchases without having sufficient funds to cover checks; and
- purchased livestock and failed to pay, when due, the full purchase price for the livestock.

GIPSA filed a complaint against the respondents on October 4, 2011. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Respondents were engaged in business as dealers, buying and selling livestock in commerce for its own account and are registered with the Secretary of Agriculture.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 90-11

Contact:
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GIPSA Alleges Williams Cattle Co., Inc. Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Williams Cattle Co., Inc., (Williams Cattle) London, Ky., purchased livestock and failed to pay, within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price for livestock.

GIPSA filed a complaint against Williams Cattle on October 5, 2011. If the allegations are admitted, or proven in an oral hearing, Williams Cattle may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Williams Cattle engaged in the business as a dealer, buying and selling livestock in commerce and is registered with the Secretary of Agriculture.

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News Release

Release No.: 92-11

Contact:
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GIPSA Alleges Ronnie Lewis, dba Lazy L Order Buyers Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ronnie Lewis, doing business as Lazy L Order Buyers:

- operated as a dealer without being registered or maintaining an adequate bond as required by the Packers and Stockyards (P&S) Act;
- purchased livestock and failed to pay the full purchase price for livestock;
- purchased livestock and failed to pay, when due, the full purchase price for livestock; and
- issued checks in partial payment for livestock purchases without having adequate funds to cover checks.

GIPSA filed a complaint against Ronnie Lewis on October 5, 2011. If the allegations are admitted, or proven in an oral hearing, Ronnie Lewis may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Ronnie Lewis was engaged in the business of buying and selling livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

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News Release

Release No.: 93-11

Contact:
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GIPSA Alleges Ocala Livestock Market, Inc., Michael Yeomans, aka Tony Yeomans, and Tobitha Yeomans Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ocala Livestock Market, Inc. (Ocala), Lowell, Fla., Michael Yeomans, also known as Tony Yeomans (Tony Yeomans), and Tobitha Yeomans:

- failed to deposit collected proceeds from the sale of livestock before the close of the next business day;
- failed to reimburse the custodial account for bank charges;
- operated with custodial account shortages; and
- had current liabilities-exceeding current assets.

GIPSA filed a complaint against Ocala, and Tony and Tobitha Yeomans on October 7, 2011. If the allegations are admitted, or proven in an oral hearing, Ocala, and Tony and Tobitha Yeomans may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Ocala was engaged in the business of a market agency selling livestock in commerce on a commission basis and is registered with the Secretary of Agriculture.

Tony Yeomans is the president, secretary, and 50% owner of Ocala, and with Tobitha Yeomans, is responsible for the direction, management, and control of Ocala.

Tobitha Yeomans is the vice-president, treasurer, registered agent, and 50% owner of Ocala, and with Tony Yeomans, is responsible for the direction, management, and control of Ocala.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



Grain Inspection,
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STOP 3601
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Web: www.gipsa.usda.gov

News Release

Release No.: 94-11

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Alleges Richard Hayes Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Richard Hayes, Hereford, Texas:

- purchased livestock and failed to pay the full amount of the livestock purchase price;
- failed to pay, when due, in a timely fashion the full amount of livestock purchase prices;
- issued checks without having sufficient funds to cover checks; and
- failed to keep records which fully and correctly disclosed all transactions involved in his business as a livestock dealer.

GIPSA filed a complaint against Richard Hayes on October 11, 2011. If the allegations are admitted, or proven in an oral hearing, Richard Hayes may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Richard Hayes was engaged in the business of buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

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News Release

Release No.: 95-11

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Alleges Robert Smith, dba 4S Cattle Company and Four S Cattle Company Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Robert Smith doing business as 4S Cattle Company and Four S Cattle Company, Bigfoot, Texas, engaged in the business of a market agency without being registered and maintaining an adequate bond.

GIPSA filed a complaint against Robert Smith on October 11, 2011. If the allegations are admitted, or proven in an oral hearing, Robert Smith may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

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News Release

Release No.: 96-11

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Settles Cases Resulting in \$12,075 in Civil Penalties

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$12,075 in civil penalties.

Harry D. Hamborsky, Connellsville, Pa. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he failed to pay when due for livestock and issued checks without having sufficient funds to cover checks.

Billy Roger Chaffin, Jr., and Chaffin Cattle, LLC, Willis, Va. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,700 after GIPSA found that they failed to pay when due for livestock purchases.

Randy R. Wientjes, dba Brookport Cattle Co., Metropolis, Ill. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he failed to pay, when due, for livestock purchases and failed to maintain adequate records from livestock purchases.

Piedmont Livestock, Inc., Joseph Ray Jones, President, Altamahaw, N.C. – waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,875 after GIPSA found that they failed to pay, when due, for livestock.

Michael R. Morgan, Bates City, Mo. – waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he failed to pay, when due, for livestock.

Jaime Belcher, Rockfield, Ky. – waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that he operated without a financial instrument and without being registered.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 97-11

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges T&J Meat Packing, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that T&J Meat Packing, Inc. (respondent), Chicago Heights, Ill.:

- failed to deliver to the livestock sellers (27 transactions with 4 different livestock sellers) the full amount of the purchase price before the close of the next business day following each purchase of livestock and the transfer of possession;
- failed to keep records that fully and accurately disclosed all transactions involved in its business;
- in 22 of the 27 transactions, the respondent made late payment to the livestock sellers by check but back-dated the checks to the action transaction date; and
- in 15 additional transactions, the respondent purchased approximately 2,133 head for a total purchase price of \$108,365.22 and paid the sellers with undated checks.

GIPSA filed a complaint against the respondent on October 12, 2011. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

The respondent was engaged in the business of buying livestock in commerce for the purpose of slaughter and is a packer subject to the provisions of the Packers and Stockyards Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 98-11

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Ryan Sanders Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ryan Sanders (respondent):

- engaged in the business of buying livestock in commerce on a commission basis without registering or maintaining an adequate bond;
- purchased livestock and failed to pay the full purchase price for the livestock purchased;
- issued checks for partial payment for livestock purchases which were returned by the bank because he did not have sufficient funds to cover the checks. The checks, totaling \$80,631.13, remain unpaid as of the date of this complaint.

GIPSA filed a complaint against the respondent on October 13, 2011. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Ryan Sanders was engaged in the business of buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 99-11

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Fred J. Berger, Ltd., dba Berger Cattle Company and Fred J. Berger Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Fred J Berger, Ltd., doing business as Berger Cattle Company, and Fred J. Berger (respondents), Mandan, N.D., failed to pay, when due, the full amount for livestock purchases in 27 transactions totaling approximately \$3,417,731.

GIPSA filed a complaint against the respondents on October 13, 2011. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Fred J. Berger, Ltd., doing business as Berger Cattle Company, under the direction, management, and control of Fred J. Berger, is engaged in the business of a livestock dealer buying and selling livestock in commerce for its own account, and as a market agency buying livestock in commerce on a commission basis, and is registered with the Secretary of Agriculture.

Fred J. Berger, as the owner, president and manager of Fred J. Berger, Ltd., formulated, directed, and controlled the policies, practices and activities of Fred J. Berger, Ltd. In that capacity he was engaged in the business of a livestock dealer buying and selling livestock in commerce for his own account, and as a market agency buying livestock in commerce on a commission basis.

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News Release

Release No.: 100-11

Contact:
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C. David Emmons Has Been Assessed a Civil Penalty In the Amount of \$5,000

WASHINGTON, Oct. 27, 2011 – On September 27, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with C. David Emmons (respondent).

The respondent has been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock. He was ordered to keep and maintain accounts, records, and memoranda which fully disclose the true nature of all transactions involved in his business.

The respondent has been assessed a civil penalty in the amount of \$5,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 101-11

Contact:
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GIPSA Alleges Michael V. Bott and Tony Bott Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Michael V. Bott, Rupert, Idaho, failed to pay promptly for livestock purchases.

Tony Bott, Rupert, Idaho:

- failed to pay promptly for livestock purchases; and
- failed to maintain adequate records.

The respondents entered into a consent decision on October 30, 2007, and were ordered to cease and desist from failing to pay, when due, the full purchase price of livestock. During the period of March 2008 to October 2009, the respondents, under the name “MB Livestock” and their own names, failed to pay, when due the full amount of the purchase price for livestock in a timely manner. During this period they also issued 17 checks that were returned unpaid by the bank because respondents did not have and maintain sufficient funds on deposit.

GIPSA filed a complaint against the respondents on September 27, 2011. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

The respondents were engaged in the business of a dealer, buying and selling livestock in commerce for their own account and engaged in the business of a market agency, buying livestock on a commission basis.

Michael V. Bott is registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce, a market agency buying on commission, and a market agency providing clearing services.

Tony Bott is registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce.

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News Release

Release No.: 102-11

Contact:
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GIPSA Alleges Mike Whitfield, N.B. Hutchinson, Jr. and Pete Pingrey, dba Gowan Stockyards Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Mike Whitfield, N.B. Hutchinson, Jr., and Pete Pingrey (the respondents), doing business as Gowan Stockyards, Kosciusko, Miss., violated the Packers and Stockyards (P&S) Act.

The complaint alleged the respondents, doing business as Gowan Stockyards:

- failed to maintain and properly use their custodial account for shippers’ proceeds;
- had multiple custodial account shortages;
- failed to designate their custodial bank account as “Custodial Account for Shippers’ Proceeds” or an equivalent identifying designation on their banking account statements and checks to disclose that the depositor was acting as a fiduciary and that the funds in the account were trust funds;
- permitted approximately \$13,185.29 in bank fees to be charged to their custodial account; and
- used custodial account funds to repay loans from respondent N.B. Hutchinson, Jr., in the amounts of \$8,500 and \$9,250, respectively.

GIPSA has received an application for registration to operate the Gowan Stockyards market by the partnership of Shirley Dance, Respondents Mike Whitfield, N.B. Hutchinson, Jr., and Pete Pingrey. The complaint includes an order to show cause why this application for registration should not be denied because of the facts alleged in the pending complaint.

GIPSA filed a complaint against the respondents on October 19, 2011. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

Respondent's Whitfield, Hutchinson, and Pingrey were engaged in the business of conducting and operating Gowan Stockyards; engaged in the business of buying and selling livestock in commerce on a commission basis and buying and selling livestock in commerce for their own account; and are registered with the Secretary of Agriculture.

Shirley Dance is not currently registered with the Secretary of Agriculture, but has an application for registration that is pending.

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News Release

Release No.: 103-11

Contact:
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GIPSA Alleges Gary Thompson Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gary Thompson:

- purchased livestock and failed to pay, within the time period required by the Packers and Stockyards (P&S) Act;
- failed to make timely payment for 388 and 868 head of cattle, respectively; and
- failed to keep records that fully and completely disclosed all transaction involved in his business as a dealer.

This is in direct violation of a final order from the Secretary of Agriculture, issued on April 28, 2011, in which Thompson was ordered to cease and from failing to pay for livestock purchases in a timely fashion and maintain records of his transactions subject to the P&S Act.

GIPSA filed a complaint against Gary Thompson on October 19, 2011. If the allegations are admitted, or proven in an oral hearing, Gary Thompson may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty. \

Gary Thompson was engaged in the business of buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

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News Release

Release No.: 104-11

Contact:
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GIPSA Alleges Devon Perkins Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Devon Perkins, Irene, Texas:

- continued to operate as a market agency without filing an adequate bond or bond equivalent after being notified by GIPSA that he was in violation of the Packers and Stockyards (P&S) Act; and
- from October 26, 2009 through December 14, 2009, he had 17 transactions involving a total of 490 head with a total purchase of approximately \$223,196, without maintaining a bond.
-

GIPSA filed a complaint against Devon Perkins September 28, 2011. If the allegations are admitted, or proven in an oral hearing, Devon Perkins may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Devon Perkins was engaged in the business of a market agency buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

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News Release

Release No.: 105-11

Contact:
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GIPSA Settles Cases Resulting in \$8,500 in Civil Penalties

WASHINGTON, Nov. 3, 2011 -The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$8,500 in civil penalties.

Robert Johnson, CEO, Allan Fallaw, Live Production Manager, Columbia Farms of Georgia, Inc., Leesville, S.C. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$5,000 after GIPSA found that they failed to timely pay, when due, contract poultry growers.

Ronald C. Wachholz, Inc., Oshkosh, Wis.-- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,300 after GIPSA found that he failed to timely pay, when due, for livestock purchases.

Kendall Wilsted, Tehachapi, Calif. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that he operated with an inadequate financial instrument and inadequate records.

Cooper Farms, Inc., Ft. Recovery, Ohio -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,250 after GIPSA found that they failed to comply with contractual requirements.

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News Release

Release No.: 106-11

Contact:
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American Beef Packers, Inc. Has Been Assessed a Civil Penalty In the Amount of \$25,000

WASHINGTON, Nov. 3, 2011- On October 24, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with American Beef Packers (American Beef), Inc., Chino, Calif.

American Beef has been ordered to cease and desist from failing to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act.

American Beef has been assessed a civil penalty in the amount of \$25,000.

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News Release

Release No.: 107-11

Contact:
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Comanche livestock Exchange, LLC and Michael Dean Cagle Have Been Assessed a Civil Penalty In the Amount of \$13,000

WASHINGTON, Nov. 3, 2011- On October 21, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Comanche Livestock Exchange, LLC (Comanche Livestock), and Michael Dean Cagle (Cagle), Comanche, Texas

Comanche Livestock and Cagle have been ordered to cease and desist from:

- failing to deposit into their custodial account, within the times prescribed, amounts equal to the outstanding proceeds receivable due from the sale of consigned livestock;
- failing to properly maintain their Custodial Account for Shippers' Proceeds;
- using funds received from the sale of consigned livestock for the payment of bank charges, or for any purpose other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges; and
- engaging in business subject to the Packers and Stockyards (P&S) Act while current liabilities exceed current assets.

Comanche Livestock and Cagle have been assessed a civil penalty in the amount of \$13,000.

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News Release

Release No.: 109-11

Contact:
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Dennis Chiappetti, Former President and Owner of Den-Franco Corporation, also known as Chiappetti Lamb & Veal Has Been Assessed a Civil Penalty In the Amount of \$10,000

WASHINGTON, Nov. 10, 2011—On October 31, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Dennis Chiappetti (Chiappetti), former President and 100% owner of Den-Franco Corporation, also known as Chiappetti Lamb & Veal, Mokena, Ill.

Chiappetti has been ordered to cease and desist from failing to pay for livestock purchases and failing to pay, when due, for livestock purchases within the time period required by the Packer and Stockyards (P&S) Act.

Chiappetti has also been assessed a civil penalty in the amount of \$10,000.

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News Release

Release No.: 108-11

Contact:
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GIPSA Alleges Michael T. Godberson Violated the Packers and Stockyards Act

WASHINGTON, Nov. 10, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Michael T. Godberson (respondent):

- operated as a dealer without being registered or maintaining an adequate bond as required by the Packers and Stockyards (P&S) Act; and
- purchased livestock and failed to pay the full purchase price for livestock.

GIPSA filed a complaint against the respondent on October 19, 2011. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

The respondent was engaged in the business of buying and selling livestock in commerce on a commission basis and is not registered, as required, as a dealer buying and selling livestock in commerce on a commission basis with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 91-11

Contact:
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GIPSA Settles Cases Resulting in \$8,500 in Civil Penalties

WASHINGTON, Nov.10, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$8,500 in civil penalties.

Robert Herrington, San Mateo , Fla. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that he failed to pay, when due, for livestock purchases.

Dane Fine, dba Dane Fine Meat Packing, Springdale Township (Harwick), Pa. --waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,425 after GIPSA found that he failed to timely pay, when due, for livestock purchases.

Richard H. Gresham, Brandon Gresham, dba H&D Cattle Co., Cushing, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,500 after GIPSA found that he failed to timely pay, when due for livestock purchases, issued checks without having sufficient funds to cover checks, and inadequate records.

Anstine Enterprises, Inc., dba Kingsville Livestock Auction, Kingsville, Mo. - - waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,600 after GIPSA found that they had deceptive trade practices, restriction of competition, kept inaccurate and false records.

Terry Wold, dba Terry Wold Livestock, TW Livestock & wee, Butte, Mont. - waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,750 after GIPSA found that they had failed to timely pay, when due, for livestock purchases.

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News Release

Release No.: 110-11

Contact:
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GIPSA Settles Cases Resulting in \$17,160 in Civil Penalties

WASHINGTON, Nov. 17, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$17,160 in civil penalties.

AMVC Management Services, LLC, Audubon, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that in their swine production contracts they did not disclose the grower’s right to cancel the contract, including the method and dealing for cancellation, and contain an “Addition Capital Investments Disclosure Statement.”

Oak Lake Cattle Co., Inc., I.E. Byrd, President, Okeechobee, Fla. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$825 after GIPSA found that they failed to timely pay, when due, for livestock purchases.

Barney M. Gibson, Statesville, N.C. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,585 after GIPSA found that he failed to timely pay, when due, for livestock purchases.

Shannon Davis, Winnsboro Livestock Commission, Inc., dba Winnsboro Livestock & Dairy Auction, Winnsboro, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that they operated as a market agency selling livestock on commission with shortages in the market’s Custodial Account for Shippers Proceeds on two occasions in April in May of 2110.

Randall Reynolds, dba Geneva-Berne Salebarn, Geneva, Ind. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that he charged a per head fee and changed the price per pound when buying cattle on a carcass basis.

Holden Farms, Inc., New Ulm, Minn. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that they failed to comply with contractual requirements.

Randy R. Wientjes, dba Brookport Cattle Co., Metropolis, Ill. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he failed to pay, when due, for livestock purchases on 14 occasions and failed to maintain all sales invoices and adequate records to trace livestock from purchase to sale.

Decker's Livestock, Inc., Milford, Ill. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$750 after GIPSA found that they used unfair and captive tariff practices.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 112-11

Contact:
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GIPSA Settles Cases Resulting in \$20,490 in Civil Penalties

WASHINGTON, Nov. 25, 2011 -The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$20,490 in civil penalties.

Garret Maxey, Greeley, Colo.-- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that he operated without a financial instrument.

Iowa Select Farms, L.L.P., Iowa Falls, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$6,000 after GIPSA found that they failed to disclose that additional capital investments may be required (Section 208); and identifying a Federal judicial district other than the one in which the principle part of the performance takes place (swine production contract grower's farm) as the forum for resolving disputes under a swine production contract (Section 209).

Beltex Corporation, dba Frontier Meats, Fort Worth, Texas- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,525 after GIPSA found that they failed to pay, in a timely manner, for livestock purchases.

Leo Overturf, dba Leo Overturf Sheep, Sutton, Neb.- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,765 after GIPSA found that he failed to issue timely payments and engaged in unfair and deceptive practices.

Ronald Lemons, Lewisburg, W.Va.- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$6,200 after GIPSA found that he failed to pay, when due, for livestock.

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News Release

Release No.: 111-11

Contact:
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Randy Myers Has Been Assessed a Civil Penalty In the Amount of \$6,500

WASHINGTON, Nov. 25, 2011- On September 14, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Randy Myers (respondent).

The respondent has been ordered to cease and desist from continuing to buy livestock in commerce on a commission basis without registering or maintaining an adequate bond as required by the Packer and Stockyards (P&S) Act.

The respondent has also been assessed a civil penalty in the amount of \$6,500.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 115-11

Contact:
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GIPSA Alleges Bro Pack, Inc. and Andrew Broberg Violated the Packers and Stockyards Act

WASHINGTON, Dec. 1, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Bro Pack, Inc. and Andrew Broberg (the respondents), Pico Rivera, Calif.:

- failed to ensure that scales that they used complied with the Packers and Stockyards (P&S) Act and regulations;
- failed to use hooks, rollers, gambrels, and other equipment that were uniform in weight.

GIPSA filed a complaint against the respondents on November 18, 2011. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>.

If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Bro Pack, Inc. was engaged in the business of buying livestock in commerce for the purpose of slaughter and is a packer.

Andrew Broberg was president of Bro Pack, Inc.; 100% owner of Bro Pack, Inc.; a packer; and responsible for the direction, management and control of Bro Pack, Inc.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 114-11

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Sugarcreek Livestock Auction, Inc. and Leroy H. Baker, Jr. Violated the Packers and Stockyards Act

WASHINGTON, Dec. 1, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Sugarcreek Livestock Auction, Inc., Sugarcreek, Ohio and Leroy H. Baker (the respondents), East Rochester, Ohio:

- failed to maintain and properly use its custodial account for shippers' proceeds, causing shortages in the account;
- failed to deposit in the custodial account, within the time prescribed, an amount equal to the proceeds receivable for sales of consigned livestock;
- permitted approximately \$7,350 in bank fees to be charged to their custodial account and due in part to the respondent's use of shippers' funds in the custodial account;
- Sugarcreek Livestock Auction, Inc. was insolvent with (its current liabilities exceeding its current assets); and
- failed to keep and maintain records that fully and correctly disclosed all transactions involved in the business.

GIPSA filed a complaint against the respondents on November 18, 2011. The complaint can be found on the GIPSA website: [http://www.gipsa.usda.gov/psp/enf\(\)rcement.html](http://www.gipsa.usda.gov/psp/enf()rcement.html).

If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Sugarcreek Livestock Auction, Inc. under the direction, management and control of Leroy H. Baker, Jr., was engaged in the business of conducting and operating Sugarcreek Livestock Auction, Inc., a posted stockyard subject to the P&S Act; a market agency buying and selling livestock on a commission basis in commerce; a dealer buying and selling livestock in commerce; and is registered with the Secretary of Agriculture.

Leroy H. Baker, Jr., was president of Sugarcreek Livestock Auction, Inc., owner of 80% of the stock issued by Sugarcreek Livestock Auction, Inc., and responsible for the direction, management and control of Sugarcreek Livestock Auction, Inc.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 113-11

Contact:
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GIPSA Alleges Mohammad S. Malik and Kiran Enterprises, Inc., dba Trenton Halal Meat Packing Co. Violated the Packers and Stockyards Act

WASHINGTON, Dec. 1, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Mohammad S. Malik and Kiran Enterprises, Inc., doing business as Trenton Halal Meat Packing Co. (respondents), Trenton, N.J., purchased livestock and failed to pay, within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price for livestock.

GIPSA filed a complaint against the respondents on November 17, 2011. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

The respondents were engaged in the business of buying and selling livestock in commerce for the purposes of slaughter and manufacturing or preparing meats or meat products for sale or shipment in commerce and operated as a packer.

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News Release

Release No.: 116-11

Contact:
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David Ballou Has Been Assessed a Civil Penalty In the Amount of \$6,500

WASHINGTON, Dec. 9, 2011 – On November 18, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with David Ballou (respondent).

The respondent has been ordered to cease and desist from engaging in business in any capacity for which bonding is required by the Packer and Stockyards (P&S) Act and regulations without filing and maintaining an adequate bond.

The respondent has also been assessed a civil penalty in the amount of \$6,500.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 118-11

Contact:
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GIPSA Alleges Hardee County Livestock Market Corp. and Janice P. Wheeler Violated the Packers and Stockyards Act

WASHINGTON, Dec. 9, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Hardee County Livestock Market Corp. (respondent Hardee) and Janice P. Wheeler (respondent Wheeler), Wauchula, Fla., forged the signatures of bank employees from The Muncy Bank & Trust Company and Wauchula State Bank – on documents provided to GIPSA.

The trust agreement listed The Muncy Bank & Trust Company as the trustee.

The standby letter of credit indicated that the funds were drawn on the Wauchula State Bank.

The Muncy Bank & Trust Company informed GIPSA that the Muncy Bank & Trust had no knowledge of a relationship nor had a relationship of any kind with respondent Wheeler. The bank further informed GIPSA that the signatures of bank employees on the trust agreement and standby letter of credit, respectively, were forged. As a result the bond coverage on file to cover respondent Hardee’s market agency activities was invalid. Respondent Wheeler admitted the forgeries.

GIPSA’s Eastern Regional Office requested that the Department of Justice institute criminal proceedings against respondent Wheeler. On September 28, 2011, a Grand Jury Indictment was returned against respondent Wheeler who was indicted in the United States District Court, Middle District of Florida, Tampa Division, for knowingly and willingly making and using false writings and documents containing materially false statement and entries in relation to a matter within the jurisdiction of the United States Department of Agriculture.

GIPSA also filed an administrative complaint against respondents Hardee and Wheeler on November 25, 2011, alleging that they sold livestock in commerce on a commission basis without maintaining an adequate bond or bond equivalent. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>.

If the allegations are admitted, or proven in an oral hearing, respondents Hardee and Wheeler may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Respondent Hardee was engaged in the business of a market agency selling livestock in commerce on a commission basis and registered with the Secretary of Agriculture as a market agency to sell livestock in commerce on a commission basis.

Respondent Wheeler was president; 50% owner; registered agent; general manager and responsible for the direction, management, and control respondent Hardee.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 117-11

Contact:
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GIPSA Alleges North American Bison Cooperative and North Dakota Natural Beef, LLC Violated the Packers and Stockyards Act

WASHINGTON, Dec. 9, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that North American Bison Cooperative and North Dakota Natural Beef, LLC, (the respondents), Fargo, N.D.:

- failed to pay, when due, the full purchase price for livestock; and
- to date, owe approximately \$421,132.52 to livestock sellers.

GIPSA filed a complaint against the respondents on November 4, 2011. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

North American Bison Cooperative at all times operated as North Dakota Natural Beef, LLC and the respondents possessed common ownership and management. The respondents also operated as and are known as Dakota Farms. The respondents engaged in the business of buying livestock in commerce for the purposes of slaughter; manufactured or prepared meat and meat food products for sale or shipment in commerce; had average annual purchases of livestock exceeding \$500,000; and operated as packers.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 120-11

Contact:
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GIPSA Settles a Case Resulting in a \$2,000 Civil Penalty

WASHINGTON, Dec. 9, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$2,000 civil penalty.

Silver Creek Pig, Inc., Carthage, Ill -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that they failed to comply with the Food, Conservation, and Energy Act 2009; Sections 208, 209, and 210 of the Packers and Stockyards Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 119-11

Contact:
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Steve (Bubba) Kemp, dba Kemp Cattle Has Been Assessed a Civil Penalty In the Amount of \$90,000

WASHINGTON, Dec. 9, 2011 – On November 25, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Steve (Bubba) Kemp, doing business as Kemp Cattle (respondent), Tolar, Texas.

The respondent has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required by the Packer and Stockyards (P&S) Act and regulations without filing and maintaining an adequate bond;
- engaging in operations subject to the P&S Act and regulations without being registered with GIPSA;
- purchasing livestock and failing to pay for livestock purchases within the time period required by the P&S Act; and
- issuing checks in payment for livestock without having sufficient funds to cover checks.

The respondent has been ordered to keep accounts, records and memoranda that fully and correctly disclose all transactions involved in his business. He has also been assessed a civil penalty in the amount of \$90,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 122-11

Contact:
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GIPSA Alleges Whispering Oaks Farms, LLC, and Mike D. Esther Violated the Packers and Stockyards Act

WASHINGTON, Dec. 15, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Whispering Oaks Farms, LLC, Mike D. Esther (the respondents), Lebanon, Mo., continued livestock operations without filing an adequate bond or bond equivalent after being notified by the Midwestern Regional Office that if he resumed operations, he must file a new bond and activate his registration.

GIPSA filed a complaint against the respondents on November 30, 2011. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Whispering Oaks Farms, LLC, was engaged in the business of a market agency buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture as a market agency to buy livestock in commerce on a commission basis.

Mike D. Esther is not currently registered with the Secretary of Agriculture. He was previously registered as a dealer buying and selling livestock in commerce and as a market agency buying livestock in commerce on a commission basis. He is the sole member, 100% owner, and registered agent of Whispering Oaks Farms, LLC. He is responsible for the direction, management, and control of Whispering Oaks Farms, LLC.

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News Release

Release No.: 123-11

Contact:
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GIPSA Alleges Murray L. Edwards Violated the Packers and Stockyards Act

WASHINGTON, Dec. 15, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Murray L. Edwards (respondent):

- failed to make timely payment for \$515,805.10 in livestock purchases from one individual seller and twelve auction markets;
- issued 9 checks for \$322,241.56 in livestock purchases that were returned unpaid by the bank upon which they were drawn; and
- has failed, as of September 21, 2011, to repay approximately \$180,000 of the amounts listed above.

GIPSA filed a complaint against the respondent on November 30, 2011. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

The respondent was engaged in the business of buying and selling livestock in commerce. The respondent was registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 121-11

Contact:
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GIPSA Settles a Case Resulting in a \$5,000 Civil Penalty

WASHINGTON, Dec. 15, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$5,000 civil penalty.

Dennis Arnzen, Intermountain Livestock, Inc., La Grande, Ore. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$5,000 after

GIPSA found that they operated as a market agency selling livestock on commission with shortages in the market’s Custodial Account for Shippers’ Proceeds on two occasions in October and December 2010.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 124-11

Contact:
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Devon Perkins Has Been Assessed a Civil Penalty In the Amount of \$7,500

WASHINGTON, Dec. 22, 2011 – On December 9, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Devon Perkins (respondent), Irene, Texas.

The respondent has been ordered to cease and desist from engaging in business in any capacity for which bonding is required by the Packer and Stockyards (P&S) Act and regulations without becoming properly registered.

He has also been assessed a civil penalty in the amount of \$7,500 of which \$2,500 will be held in abeyance for a period of 3 years. If the respondent is found to have violated the provisions of the cease and desist order during a period of 3 years from the effective date of this order, the \$2,500 will become due and payable.

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News Release

Release No.: 125-11

Contact:
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Mike Whitfield, N.B. Hutchinson, Jr. and Pete Pingrey, dba Gowan Stockyards Have Been Suspended for Violating The Packers and Stockyards Act

WASHINGTON, Dec. 22, 2011 – On November 22, 2011, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Shirley Dance, Mike Whitfield, N.B. Hutchinson, Jr., and Pete Pingrey (the respondents), doing business as Gowan Stockyards, Kosciusko, Miss.

The respondents have been ordered to cease and desist from:

- failing to maintain and properly use their custodial account for shippers’ proceeds in strict conformity with the Packers and Stockyards (P&S) Act;
- using funds from the sale of consigned livestock for any purpose other than those specifically permitted; and
- failing to properly indicate “Custodial Account for Shippers’ Proceeds” or an equivalent identifying designation on their banking account statements and checks.

Respondents Mike Whitfield, N.B. Hutchinson, Jr., and Pete Pingrey, doing business as Gowan Stockyards, are suspended as registrants under the P&S Act for a period of 14 days and until the respondents have demonstrated to the satisfaction of the Packers and Stockyards Program that the custodial account shortages have been corrected.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.